

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

ANTHONY RAVON RUFFIN, )  
                            )  
Plaintiff,               )  
                            )  
v.                        )                          1:14CV247  
                            )  
UNITED STATES OF AMERICA, )  
                            )  
Defendant(s).           )

**RECOMMENDATION OF UNITED STATES MAGISTRATE JUDGE**

This matter comes before the Court *sua sponte*. Plaintiff filed an application to proceed *in forma pauperis*, and on March 25, 2014, the Court ordered that this case be filed, but further proceedings and service of summons be stayed until Plaintiff submit to the Court an initial filing fee of \$36.64, or alternatively, a motion for relief from the stay, and a statement made under penalty of perjury that he has not had access to any funds for payment of the sum(s) noted above for the 60-day period. (Docket Entry 3.) That Order specifically warned Petitioner that any failure to comply would result in dismissal of this action without further notice. (*Id.* at 3.) On June 3, 2014, the Court again warned Plaintiff of his failure to submit the initial filing payment, or a motion for relief from the stay. (Docket Entry 4.) Plaintiff was given ten days to comply with the Court's Order. (*Id.*) To date, Plaintiff has failed to comply with either of the Court's previous Orders. After review of the relevant factors set out in *Ballard v. Carlson*, 882 F.2d 93, 95-96 (4th Cir. 1989), the undersigned concludes that dismissal is warranted in this case.

IT IS THEREFORE RECOMMENDED that this action be DISMISSED WITHOUT PREJUDICE.

This, the 25th day of June, 2014.



Joe L. Webster  
United States Magistrate Judge